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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 1 2001

In re the application of:

IMMER et al.

Serial Number: 09/027,777

Filed: February 23, 1998

For: PROCESS FOR PREPARING CARDIODILATIN FRAGMENTS; HIGHLY PURIFIED CARDIODILATIN FRAGMENTS AND INTERMEDIATE PRODUCTS FOR THE PREPARATION OF SAME

Group Art Unit: 1644

Examiner: F. Pierre Vander Vegt

Atty. Docket No. P108099-00001

REQUEST FOR REFUND

Honorable Commissioner
Washington, D.C. 20006

Date: May 1, 2001

Sir:

The undersigned respectfully request a refund of the fee paid in the amount of Seven Hundred Ten Dollars (\$710.00) paid on February 26, 2001, in that application on February 26, 2001.

The fee of Seven Hundred Ten Dollars (\$710.00) paid on February 26, 2001, is that for a Request for Continued Examination that was not accepted by the Patent and Trademark Office.

Repln. Ref: 06/05/2001 1050 Connecticut Avenue, N.W.,
DAB:012300 Name/Number: 09027777
FC: 704 \$710.00 CR
03/01/2001 STEFFERA 00000024 09027777
01 FC:179 Dollars, be credited to Deposit Account 01-2300.

Respectfully submitted,
ARENTE FOX KINTNER PLOTKIN & KAHN, PLLC

Robert K. Carpenter
Registration No. 34,794

Adjustment date: 06/05/2001 GDUCKETT
03/01/2001 STEFFERA 00000024 09027777
-710.00 OP
01 FC:179

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RKC:tdd

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Mailroom Dt: Received Dt: Type: Name/Number: Attorney Docket No.:
022601 022601 1 09027777 P1614-8019

Fee Entry

Fee Code: Fee Amount: Quantity: Continue
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Fee Code	St	Fee Amount	Qty	Partial	Extended Amount	Dep Act Amount	Other Amount	Print
179	R	710.00	1	F	710.00		710.00	B

TOTAL : \$710.00 \$710.00

Balance Owed:

Excess Payment Balance:

06/05/2001 GDUCKETT 24

Stevens, Margaret

To: LIE 1644
Subject: Serial No. 09/027,777

Refund \$710.00 code 179. Fee paid twice. Please return a copy of the RAM screen to me after completion,

Thanks

Margaret W. Stevens
Supervisory Legal Instrument Examiner
TC1600/2900
703-305-3608



Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20531
www.uspto.gov

09/027 777
APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

RECEIVED

ATTY. DOCKET NO./TITLE

MAY 03 2001

TECH CENTER 1600/2900

RECEIVED

MAY 30 2001

OFFICE OF PETITIONS

RECEIVED

MAY 31 2001

DATE MAILED:

TECH CENTER 1600/2900

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)



The request for continued examination (RCE) under 37 CFR 1.114 filed on 2/26/01 is improper for reason(s) indicated below:

- 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).
- 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed.
- 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

A copy of this notice MUST be returned with any reply.

Direct the reply and any questions about this notice to:

Lawrence Woodward, Examining Group 1640
(703) 306-4085